

**ENTERED**

October 03, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff/Respondent,	§	
	§	
V.	§	CR. No. 2:11-1188-1
	§	
ROBERT RODRIGUEZ,	§	
Defendant/Movant.	§	

**ORDER**

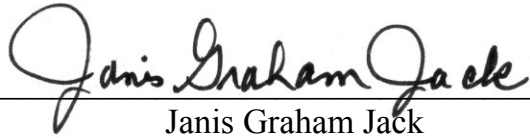
Robert Rodriguez filed a *pro se* letter motion which requests a copy of his sentencing transcript from May 2012 at government expense and copy of the Court's Statement of Reasons. D.E. 59. Rodriguez is presently represented by counsel appointed for him by the Court for the revocation of his supervised release. D.E. 44. For the reasons stated below, Rodriguez' *pro se* motion is denied.

Rodriguez' *pro se* motion seeks relief from this Court that is separate from any relief sought by counsel. It is well established that a criminal defendant has no constitutional right to hybrid representation, "partly by counsel and partly by himself." *Neal v. Texas*, 870 F.2d 312, 315-16 (5th Cir. 1989) (citing *United States v. Daniels*, 572 F.2d 535, 540 (5th Cir. 1978)); *see also McKaskle v. Wiggins*, 465 U.S. 168, 183 (1984); *Myers v. Johnson*, 76 F.3d 1330, 1335 (5th Cir. 1996) (observing that "there is no constitutional right to hybrid representation"). A motion filed *pro se* by a represented defendant is an unauthorized motion which may be disregarded by the district court. *United States v. Jackson*, 344 Fed. App'x. 12, at \*1 (5th Cir. Aug. 31, 2009) (per curiam) (designated unpublished). "This court has held that a criminal defendant does not have the right to a 'hybrid representation.' Because the record reflects that [the defendant] was

represented by counsel at the time he filed his *pro se* motion for rehearing, his *pro se* motion was an unauthorized motion, and the district court properly disregarded it.” *Id.* (internal citations omitted).

The Court DENIES Rodriguez’ *pro se* motion (D.E. 59) on the grounds that it is unauthorized because he is represented by counsel.

SIGNED and ORDERED this 3rd day of October, 2016.

  
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Janis Graham Jack  
Senior United States District Judge